

IX. COSTS.

the recogni-
zance.

said, pay the sum of money for which he is bound by such recognizance into the hands of the Chief Clerk of the Commons House of Legislative Assembly of this Province, to the credit of the said Speaker's account, and the Speaker, upon production to him of a receipt or certificate from the said Chief Clerk for the sum so paid in, shall endorse on the recognizance in respect of which such money has been so paid in, a memorandum of such payment, and thereupon such recognizance shall, so far as regards the person by or on whose behalf such money has been so paid, be deemed to be vacated, and shall not afterwards be estreated or otherwise proceeded upon as aforesaid, as against him, but such recognizance shall continue to be in force as regards any other person who has entered into the same.

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Receipt for,
and applica-
tion of money
so paid in.

CXLIX. And be it enacted, That in every case in which any money is paid into the hands of such Chief Clerk, to the credit of the said Speaker's account as hereinbefore provided, a receipt or certificate of the amount so paid in shall be delivered to the Speaker by the person paying in the same, and such money shall in the first place, and in such order of payment as the Speaker in his discretion may think fit, be applied in satisfaction of all the costs and expenses for securing payment of which such recognizance was given, or so much thereof as can be thereby satisfied, and thereafter the residue (if any) shall be paid to the party by whom or on whose account the same was paid in.

X. MISCELLANEOUS PROVISIONS.

Action against
returning
officer, for not
making return
of person duly
elected, or
delaying such
return, &c.

CL. And be it enacted, That if any Sheriff or other Returning Officer shall wilfully delay, neglect or refuse duly to return any person who ought to be returned to serve in Parliament for any County, Riding, City, Town, Borough or place in this Province, such person may, in case it have been determined by a Select Committee appointed in the manner hereinbefore directed, that such person was entitled to have been returned, sue the Sheriff or other officer having so wilfully delayed, neglected or refused duly to make such return at his Election, in any of Her Majesty's Superior Courts of Record of original jurisdiction, for Lower or Upper Canada, and shall recover double the damages he has sustained by reason thereof, together with full costs of suit, provided such action be commenced within *one year* after the commission of the act on which it is grounded, or within *six* months after the conclusion of any proceedings in the Commons House of Legislative Assembly relating to such Election.